

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Samuel N. Edeh,

Plaintiff,

v.

Civil No. 10-4475 (JNE/JJK)
ORDER

Aargon Collection Agency, LLC,
a/k/a Aargon Funding, Inc.;
Aargon Agency, Inc., a Nevada
Corporation; Duane Christy, an
individual; and Michael Boyce,
an individual,

Defendants.

In a Report and Recommendation dated June 20, 2011, the Honorable Jeffrey J. Keyes, United States Magistrate Judge, recommended granting in part and denying in part Defendants' Motion to Dismiss; dismissing from this action Defendants Aargon Collection Agency, LLC, a/k/a Aargon Funding, Inc., Duane Christy, and Michael Boyce; dismissing with prejudice Counts III and IV of Plaintiff's Third Amended Complaint; denying Plaintiff's Motion to Strike; and denying Plaintiff's Motion for Partial Summary Judgment. Plaintiff objected to the Report and Recommendation, and Defendants responded. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 45]. Therefore, IT IS ORDERED THAT:

1. Defendants' Motion to Dismiss [Docket No. 25] is GRANTED IN PART and DENIED IN PART.
2. Defendants Aargon Collection Agency, LLC, a/k/a Aargon Funding, Inc., Duane Christy, and Michael Boyce are dismissed from this action.

3. Counts III and IV of Plaintiff's Third Amended Complaint are DISMISSED WITH PREJUDICE.
4. Plaintiff's Motion to Strike [Docket No. 32] is DENIED.
5. Plaintiff's Motion for Partial Summary Judgment [Docket No. 35] is DENIED.

Dated: July 20, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge